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**IV. Rules for the Institution and Defence of Suits.**


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**D. APPEALS—concluded.**

*Rule 36.*—The head of the department shall refer the report, with his opinion, to the Remembrancer of Legal Affairs, and the provisions

Report to be referred by head of department to Legal Remembrance. of Rules 30, 31 and 32 shall then apply *mutatis mutandis* to the said report and its accompaniments, and to the Remembrancer of Legal Affairs with regard to his duty in

respect thereof, and to the instruction of the Government Pleader, if the defence of the appeal is sanctioned by Government.

*Rule 37.*—The provisions of Rules 18, 19, 20 and 21 apply equally to the

Applicability of Rules 18, 19, 20 and 21 to appeals. conduct of appeals as to the conduct of original suits except

(1) that a discretion must be exercised by the Government Pleader in meeting new points raised for the first time in appeal, but that he should apply for an adjournment to enable him to advise with the officer concerned, or with the Remembrancer of Legal Affairs, if necessary, or any such points in which he may not have been fully instructed, or to which he is not able to furnish an immediate reply; (2) that it is only necessary to depute an officer to be present to assist the Government Pleader in the High Court when express orders are received from Government to that effect.

*Rule 38.*—When two or more officers of different departments are concerned in a case in which an appeal is desired on behalf of Government, or in which an appeal is brought by the opposite party, the foregoing duties will devolve on the principal of such officers, subject, as far as may be, to the provisions of Rule 14.

Procedure when two or more officers are concerned in an appeal case.

Applicability of Rules 23, 24 and 25 to decisions in appeals.

*Rule 39.*—When an appeal has been decided by a District Court, the provisions of the Rules 23, 24 and 25 shall be observed so far as they are applicable, just as in the case of the decision of an original suit.

**E. Second Appeals.**

**444. Rule 40.**—When an appeal from an original decree has been decided by a District Court, either wholly or partially adversely to Government, the same course is to be pursued with respect to the bringing of a second appeal as in the case of an appeal from an original decree, provided that if the

Remembrancer of Legal Affairs is clearly of opinion that the case is one in which the law allows no second appeal, it shall not be necessary for him to refer it for the orders of Government, and the result of the first appeal need not be communicated to Government, unless the head of the department, or the Remembrancer of Legal Affairs, is of opinion, for special reasons, that it should be. If the head of the department communicates the result of an appeal to Government under this rule, he shall submit his report to Government through the Remembrancer of Legal Affairs.

Procedure when a second appeal is brought against an appellate decree in favour of Government.

*Rule 41.*—When a second appeal is brought against an appellate decree either wholly or partly in favour of Government, the same course shall be pursued as when an appeal is brought in the High Court against a similar original decree.

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**IV. Rules for the Institution and Defence of Suits.**


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**E. SECOND APPEALS—concluded.**

**Rule 42.**—When an appeal, whether against an original or appellate decree, has been decided by the High Court, the Government Pleader shall communicate the nature of the decision, as soon as it is pronounced, to the Legal Remembrancer giving a brief statement of the grounds of the decision.

High Court's decision in an appeal how to be reported.

He shall then obtain, with as little delay as possible, two certified copies of the Court's written judgment, if any, and of its decree, and forward one to the Legal Remembrancer, and the other, with the papers in the case, to the Collector or other officer concerned. The Collector, or other officer, shall inform the head of his department of the result of the case, sending him a copy of the written judgment, if any, or not, as he deems necessary.

The Legal Remembrancer shall communicate the result of the appeal to Government, submitting a copy of the written judgment also, if any have recorded. The result of any such appeal need not be communicated to Government by the head of the department unless the decision appears to him to be specially inconvenient, or to affect the administration in some unusual manner, in which case he shall forward his report to Government through the Legal Remembrancer.

**V. SECURITIES TO BE TAKEN FROM FOREST SUBORDINATES.**

**445.** In suppression of the rules issued with Government Resolution No. 1049, dated 9th February 1891, regarding the taking of securities from Forest Subordinates, His Excellency the Governor in Council is pleased to approve, subject to some slight modifications, of the rules under section 207, Act XII of 1850, prepared by the Conservator of Forests, Southern Circle, and revised by the Remembrancer of Legal Affairs. The rules as approved are appended, and the several Conservators and Deputy Conservators in charge of Circles should adopt them as regards persons appointed by them and communicate them to all whom they affect.\*

*Rules referred to in paragraph 1 of Government Resolution,  
Revenue Department, No. 3767, dated 18th May 1895.*

In accordance with the provisions of section 2 of Act XII of 1850, the following rules have, with the approval of His Excellency the Governor in Council, been made requiring the amount and kind of securities and the sureties to be given by every person appointed to any office in which such person is to be entrusted with the receipt, custody or control of any such moneys as are specified in section 3 of the said Act :—

**Rule 1.**—Every Forest Officer below the rank of Extra Assistant Conservator, whether appointed permanently or temporarily, whose duty requires that he should be entrusted with the charge of Government money and drawing pay at the rate of Rs. 10 or over, shall furnish security with one or more sureties as the Principal Forest Officer of the Circle may direct, for a sum which shall in no case be less

Rules for taking securities from Forest Subordinates.

Persons from whom security should be taken.

**V. Securities to be taken from Forest Subordinates.**

Amount.

(a) than the aggregate of the pay payable to such subordinate for 12 months' service, or,

(b) than the amount of forest revenue or funds which such subordinate is, by special authority from the Principal Forest Officer of the Circle, permitted to hold at any one time in his custody.

*Rule 2.*—Every such Forest Officer shall within one month, on obtaining Occasions on which temporary or permanent promotion or on the decease or security is required. withdrawal of his original security, furnish fresh security.

*Rule 3.*—The Divisional Forest Officer shall keep a register of all securities furnished by Forest Officers below the rank of Extra-Assistant Conservator in his Division, for scrutiny by the Principal Forest Officer of the Circle during the course of his annual tour, and shall submit annually to the Principal Forest Officer in the first week of January, a certificate that all such securities are good and sufficient.

The register shall contain such particulars as the Principal Forest Officer may from time to time direct.\*

A Divisional Forest Officer may decline to accept any security.

*Rule 4.*—The Divisional Forest Officer may, at discretion and without stating his reasons, decline to accept any person as surety.

*Rule 5.*—The Principal Forest Officer of the Circle may at any time direct that the security to be furnished under these rules shall be in the form of a deposit of Government Promissory or Currency Notes or Cash.

: 446. His Excellency the Governor in Council is also pleased to pass the following supplementary orders on the subject for the guidance of Forest Officers :—

*Rule 1.*—The Divisional Forest Officer will be held responsible that security is furnished and maintained by every Forest Officer below the rank of Extra Assistant Conservator in his Division, who may be required under the rules made by the Principal Forest Officer of the Circle, under section 2 of the Act XII of 1850, to furnish security ; and he shall in consultation with the Mālat-dár of the táluka in which the surety resides, satisfy himself that the surety is, and continues to be, a proper one.

*Rule 2.*—Care must be taken that no person's security is accepted on behalf of a disproportionately large number of Forest Officers below the rank of Extra-Assistant Conservator, whether of the same Range or Department or not.

Securities should not all be in one man's name.

\* Government Resolution No. 2323, dated 4th March 1908.

## Section 445, page 280.

*Insert* the following in its proper place :—

“ Rule 6. In cases where an employee is required, as a condition of his office, to deposit cash or negotiable securities, the bond (of an Insurance Company) cannot be accepted in lieu thereof. But a bond may be accepted in place of personal securities if the Local Government concerned is satisfied with terms of the bond and the solvency of the Company.” (Government Resolution No. 2228, dated 5th June 1913, Financial Department).

### V. Securities to be taken from Forest Subordinates.

**Rule 3.**—In the first week of January a statement (in the form now in force, see appendix, Form No. 9, Standing Orders, Forests) of the securities furnished by Forest Officers below the rank of Extra Assistant Conservators in their Divisions, shall be submitted to the Principal Forest Officer of the Circle by the Divisional Forest Officers.

**Rule 4.**—No Forest Officer shall in any case keep in his own custody, any item of Forest Revenue for more than 8 days after its receipt by him, but shall remit it to the Treasury or to the Range Forest Officer, as the general or special departmental orders issued for his guidance may direct.

No Forest Officer shall allow a larger sum of revenue than the amount of security which he has furnished to accumulate or remain in his charge but shall remit the money at once to the Treasury or to the Range Forest Officer, as the standing orders issued for his guidance may direct.

**Rule 5.**—In no case shall a Forest Officer accept ready money payment when it can be avoided, but he shall furnish the payer with a Challan and direct him to pay the money direct to the Treasury and return the Challan signed by the Treasury Officer as a voucher.

**Rule 6.**—The amount of advance to be made to a Forest Officer should never, as a rule, exceed the amount of his security, but should it be found absolutely necessary on any special occasion to supply a Range Forest Officer with funds in excess of the amount for which he has furnished security, save in the case of advance made for the payment of salaries and the allowance of the Range Forest Officer's establishment, the fact should be reported to the Principal Forest Officer of the Circle.

**447.** Defalcations must be reported to Government as soon as there is reasonable ground for believing them to have been committed.\*

**NOTE.**—By order of Government Resolution No. 2932, dated 8th April 1905, rules for the collection of revenue and issue of passes are framed by the Conservators for their respective Circles.

### VI. SUPPLY OF UNIFORMS.

**448.** The following articles of uniform have been sanctioned by Government for Forest Subordinates:—

\* Government Resolution, Financial Department, No. 1024, dated 25th February 1907.

## VI. Supply of Uniforms.

*Rangers on Rs. 50 per mensem and upwards.  
Essentials for four years.*

| No. | Articles.                 | Cost.              | Cost for four years. | Remarks.  | Firm from which the articles should be procured. |
|-----|---------------------------|--------------------|----------------------|---|--|
| 1   | (a) Overcoat with cape.   | Rs. a. p.<br>8 0 0 | Rs. a. p.<br>8 0 0   | (a) Black cloth.  |  |
| ✓ 2 | (b) Khaki blouses ...     | 3 8 0              | 7 0 0                | (b) See figure.   |  |
| ✓ 2 | (c) Serge blouses ...     | 6 0 0              | 12 0 0               | (c) Dark green with silver lace ends.                             |  |
| ✓ 4 | Khaki breeches ...        | 3 0 0              | 12 0 0               | Capitation grant for 4 years at Rs. 5 per annum ... Rs. 20        |  |
| ✓ 2 | (b) Forage caps ...       | 2 8 0              | 5 0 0                | Deduction from pay at Rs. 1-4-0 per mensem for 4 years ... Rs. 60 |  |
| ✓ 2 | (c) Puggris ...           | 4 12 0             | 9 8 0                |   |  |
| ✓ 4 | Pair Khaki Putties ...    | 1 2 0              | 4 8 0                |   |  |
| ✓ 4 | Pair brown lace boots ... | 5 8 0              | 22 0 0               |   |  |
|     | Total Essentials ...      | ...                | 80 0 0               |   |  |
|     |                           |                    |                      | Total Rs. 80  |  |
|     |                           |                    |                      |   | North-West Tannery, Cawnpore.                    |

*Extras for Rangers on Rs. 50 and upwards.*

449. Cost to be recovered in monthly instalments during four years. They will, however, last with care over several contract periods as they are not to be worn daily for rough work.

| No. | Articles.   | Cost.               | Remarks.   | Firm from which the articles should be procured. |
|-----|---|---------------------|--|--|
| 1   | Full dress tunic and trousers dark green with black braid and scroll. | Rs. a. p.<br>35 0 0 | To be paid for by extra monthly subscription of Rs. 0-13-6 for four years. | Ruttansey Curramsey and Company.                 |
| 1   | Pair of black lace boots ...  | 5 0 0               |  | North-West Tannery, Cawnpore.                    |

NOTE.—No extra charge over puggris. Two Ellwood Topis (Shikar pattern) for those who do not wear puggris. Cost of Topi Rs. 6 to be paid for by extra monthly subscription of 2 annas per month.

## VI. Supply of Uniforms.

450. *Foresters on Rs. 20 to Rs. 40 per mensem.**Essentials for four years.*

| No. | Articles.                    | Cost.     | Cost for<br>four years. | Remarks.   | Firms from<br>which the<br>articles should<br>be procured. |
|-----|------------------------------|-----------|-------------------------|--|--|
| 1   | (a) Overcoat with cape       | Rs. a. p. | Rs. a. p.               | (a) As for Rangers   |  |
| 2   | (b) Khaki blouses            | ...       | 8 0 0                   | (b) Khaki with silver lace ends.                             |  |
| 2   | (a) Serge blouses            | 3 0 0     | 6 0 0                   | Capitation grant for 4 years ... Rs. 20 0 0                  |  |
| 4   | (a) Khaki breeches           | 5 8 0     | 11 0 0                  | Deduction at Rs. 1-2-6 per mensem for 4 years ... Rs. 55 8 0 |  |
|     |                              | 3 0 0     | 12 0 0                  | Total ... Rs. 75 8 0   |  |
| 2   | (a) Forage caps              | 2 8 0     | 5 0 0                   |  |  |
| 2   | (b) Puggris                  | 3 8 0     | 7 0 0                   |  |  |
| 4   | (a) Pair of Khaki Putties    | 1 2 0     | 4 8 0                   |  |  |
| 4   | (a) Pair of brown lace boots | 5 8 0     | 22 0 0                  |  |  |
|     | Total Essentials             | ...       | 75 8 0                  |  |  |

451. *Extras for Foresters on Rs. 40.*

| No. | Articles.  | Cost.     | Remarks.                                | Firms from which the articles should be procured. |
|-----|--|-----------|---|---|
| 1   | Full dress tunic and trousers dark green cloth with plain braid. | Rs. a. p. | By extra monthly payment of Re. 0-11-8. | Ruttansey Curramsey and Company, Bombay.          |
| 1   | Pair black lace boots  | 30 0 0    |   |   |
|     | Total ...  | 5 0 0     |   | North-West Tannery, Cawnpore.                     |
|     |  | 35 0 0    |   |   |

452. Members of the Subordinate Executive Forest Service below the Rs. 30 grade of Foresters are supplied with uniforms free of cost.\*

\* Government Resolution No. 1410, dated 12th February 1906.

## VI. Supply of Uniforms.

**453.** For all ranks from Rs. 15 per mensem and under.

| No. | Articles.                                  | Cost.              | Cost for four years. | Remarks.  | Firms from which the articles should be procured. |
|-----|--|--------------------|----------------------|---|---|
| 1   | Great coat without cape                    | Rs. a. p.<br>7 0 0 | Rs. a. p.<br>7 0 0   | Capitation grant at Rs. 5 per mensem ... Rs. 20   |   |
| 2   | Khaki suits (blouses and knicker-bockers). | 4 0 0              | 16 0 0               | Deduction at Re. 0-8-0 per mensem for 4 years ... |   |
| 1   | Serge blouses                              | 4 0 0              | 8 0 0                | ... Rs. 24  |   |
|     |  |                    |                      | Total ... Rs. 44                                  |   |
| 1   | Caps                                       | 1 0 0              | 4 0 0                |   |   |
| 2   | Pair of Khaki Putties                      | 1 0 0              | 2 0 0                |   |   |
| 4   | Pair Chimpals                              | 1 6 0              | 5 8 0                |   |   |
| 2   | Havresacks                                 | 0 12 0             | 1 8 0                |   |   |
|     | Total Essentials                           | ...                | 44 0 0               |   |   |

Ruttansey Curramsey and Company, Bombay.

Babaji Narayan Mochi at Vengurla.  
Ruttansey Curramsey and Company, Bombay.

**454.** There still remain "Equipments"; these are the articles which Government pay for and add to the uniform or dress. They should be limited to the following :—

*For Rangers and Foresters.*

|   | Rs. a. p.   | Firms from which to be obtained.         |
|---|-------------|--|
| (1) Silver monogram for cap or puggri (Tudor Crown over scroll with "Forests" inscribed below) cost of each | ... ... ... | A. Bhikaji and Company, Bombay.          |
| (2) Buttons, white métal, for coats, etc (Laurels surrounding Tudor Crown over word "Forests") per dozen    | ... ... ... | A. Bhikaji and Company, Bombay.          |
| (3) Black braid scrolls on sleeves as per rank, each costing  | ... ... ... | Ruttansey Curramsey and Company, Bombay. |

*For Forest Guards.*

|   |             |   |
|---|-------------|---|
| (4) Brass monograms according to Divisions, each                            | 0 4 0       |   |
| (5) Buttons, brass, for coats, etc., pattern same as for Rangers, per dozen | ... ... ... | 0 10 0 } Ruttansey Curramsey and Company, Bombay. |
| (6) Badges or arm stripes, each costing                                     | ... ... ... | 0 1 0 }   |
| (7) Belts with brass buckles, each costing                                  | ... 1 4 0   | North-West Tannery, Cawnpore.                     |

(a) Each Divisional Office should keep a sealed pattern of the various uniforms.

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## VI. Supply of Uniforms.

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(b) No other uniform but that prescribed should be used.

(c) It is optional for men acting in higher grade to pay for the uniform of the grade in which they are acting.\*

## VII. INAMDAR'S FORESTS.

**455.** In cases where at the time of the settlement, forest rights had been specially reserved, and were not in the enjoyment of the Inámdárs, he should be held to have no claim whatever to them. In such cases the Collector may, if he thinks fit, either retain the forests on account of Government or else sell them for their full value to the Inámdárs. The Collector will exercise this discretion only after consulting with the Forest Officers.

**456.** In cases where the Inámdár has at the time of settlement exercised rights of Forests, and the land has not been specially set apart for valuation, according to Rule 2 of section 2 of (Bombay) Act II of 1863, then the settlement should be made according to the survey assessment, irrespective of the value of the trees, which should be held to belong unreservedly to the Inámdárs. In cases where the Inámdár has at the time of the settlement exercised forest rights, and the land has not been surveyed and assessed, but has been reserved for special valuation, then in making the settlement the value of the land for purposes of cultivation, together with the forest growth thereon, should be taken into consideration.†

**457.** Where the right of the trees has hitherto unquestionably belonged to Government, they should either be felled or sold, or disposed of in any other way the Conservator may advise. Inámdárs or others who attempt to make away with trees of this description should be criminally prosecuted. In cases where the absolute right of Government in the trees cannot be established, there appears no remedy against an Inámdár who refuses the settlement as regards trees when the Summary Settlement of the land revenue of the village has been already effected.‡

**458.** All cases in which Inámdárs claim a right over the forests in their villages should be referred to the Forest Settlement Officer for a careful inquiry and separate report in each case for the final orders of Government. The Forest Settlement Officer's duty simply will be to inquire fully into the case, to report the result of his investigations and to record his opinion

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\* Government Resolution No. 6729, dated 25th September 1902.

† Government Resolution No. 1796, dated 11th May 1867, and Secretary of State's No. 7, dated 31st August 1867, *vide* Government Resolution No. 3538, dated 17th October 1867.

‡ Government Resolution No. 4044, dated 14th March 1867.

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**VII. Inamdar's Forests.**


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which Government will be at liberty either to accept or to refuse to accept. The reports should be submitted to Government, through the Collector and the Legal Remembrancer, without passing through the Commissioner's office. That officer may be referred to when occasion may arise. It is advisable that the Sanad should be examined in every case before the forest is allowed to be cut down in Inám villages.

**459.** Government do not consider it desirable that titles which have been Regarding Settlement settled under the Summary Settlement Acts should be under the Summary Settlement Act. excepted from the operation of the above ruling. Where quit-rent has been calculated on forest revenue, there is no room for doubt, but it seems expedient that Government should be satisfied either from such fact or otherwise that the settlement did extend to forest land before the claims of Inámdárs to such lands, which are often very valuable, are finally admitted.\*

**460.** Question as to forest rights in Devasthan lands and such other small Devasthan lands. holdings should be reported to Government for orders as they arise through the Remembrancer of Legal Affairs.†

**461.** It is not necessary that the Inámdár should be called upon in every case Object of inquiries into Inámdár's rights. to state whether he claims forest rights, and if so upon what grounds. The object of the inquiries into the forest rights of Inámdárs, which are not in any sense judicial or conclusive inquiries, is to enable Government to determine in what Inám villages they will and in what they will not assert forest rights. When once it is ascertained that a village has come under Summary Settlement, Government have at once the means of determining their cause without further investigation and it seems quite unnecessary to trouble the Inámdar. In most other cases also, the nature of an Inámdár's title is ascertainable without reference to him, and the Inámdár should only be asked to furnish information or to state his own views when the Forest Settlement Officer has reason for doubting the real state of the case concerning his village.‡

**462.** The rules on which Government have hitherto acted in deciding cases Rules followed by Government in deciding Inám-dár's rights to forest. regarding the forest rights of Inámdárs in their villages should be adhered to. These rules are (1) that the words "Jal, Taru, etc., " in a Sanad give a right to the forests ; (2) that the Inám Commissioner's decisions are final ; and (3) that the Summary Settlement gives a right to the forests.§

**463.** Though it is very desirable that the management of the forests in the State management of Inámdár's forests in the Panch Maháls. Tálukdári villages of the Panch Maháls should be in the hands of the Forest Department, yet it would not be equitable to maintain that management without the consent

\* Government Resolutions No. 6457, dated 29th October 1881; No. 3303, dated 28th April 1883; No. 2037, dated 6th March 1884; No. 4111, dated 21st May 1884; No. 7092, dated 5th October 1886; and No. 7851, dated 5th November 1886.

† Government Resolution No. 6457, dated 12th September 1890.

‡ L. R. No. 1608, dated 16th December 1885, *vide* Government Resolution No. 469, dated 20th January 1886.

§ Government Resolution No. 8185, dated 9th October 1885.

### VII. Inamdar's Forests.

of the Tálukdárs. It is probable that the consent of the Tálukdárs may be obtained if they are treated liberally in regard to their revenues and if the objects of Government are fully explained to them. They should be made to understand that Government desire to undertake the management of their forests not for the sake of profit but in the general interest of the country, and that it is intended that the whole of the net profits of the forests realized under Government management shall be made over to them or credited towards their Jama, Government retaining no part of the forest produce as their own, but only adding to the annual Jama payment such sum as appears equitable on account of the portion of the revenues of the estate derived from forests.

The Tálukdárs should be recognized as full proprietors of the soil of their estates including the forest lands, the right of Government being confined to a charge on the rental.

Government do not propose to make any addition on account of the profits of forests to the Tálukdár's Jama as fixed by settlements now current. These principles are applicable to all the estates in the Panch Maháls which are held on the Tálukdári tenure.\*

**464.** The following rules proposed by Mr. Gordon, Collector of Thána, for Rules for assessment of assessing forests in Inám villages in the district for the forests in Inám villages in purposes of the Summary Settlement were approved by Thána. Government :—

(1) One-third of the produce being first deducted for the cost of conservancy, the Inámdár will pay Government one-eighth of the remainder of the produce whenever he cuts his jungles.

(2). The Inámdár will report to the Collector beforehand the kind of wood he is about to fell and the duration of the fellings.

(3) The Inámdár will give passes according to such orders as may be issued by the Collector. Wood sent without a pass may be dealt with as Government wood.

(4) The Inámdár will show the *bondā fide* receipts of the forests and will keep such accounts as he may be ordered to keep.†

**NOTE.—**Kabuláyats made with Inámdárs under the above rules are contracts outside Rule 2 of section 6 of Act VII of 1863. Government Resolution No. 8640, dated 24th October 1885.

**465.** By a Summary Settlement an Inámdár, whatever his rights before, becomes, by virtue of the proprietary right in the soil which such settlement confers, entitled to all forest rights over all lands at the time of such settlement in his *holding*, when a Summary Settlement has taken place, the right to the trees does not depend on any mention of the trees or any expressed intention to give or retain the contract over them, but solely on the question whether the trees stand within the area of which the Summary Settlement applies.‡

\* Government Resolutions No. 4723, dated 23rd June 1883; No. 8999, dated 15th November 1884; and No. 1664, dated 26th February 1885.

† Government Resolution No. 254, dated 23rd January 1865.

‡ L. R. No. 368, dated 6th April 1889, *vide* Government Resolution No. 5572, dated 11th August 1890.

### VII. Inamdar's Forests.

**466.** Inámdárs whose titles have been adjudicated before the Summary Settlement Act became law, and who have since agreed under the Act to pay a Nazrána of one anna in order that their holdings may become their transferrable private property are to be deemed to have full proprietary rights as Inámdárs to whom a Summary Settlement has been applied.\*

**467.** In those villages in which the service grant was made by Government, prior to the alienation of the village of the Inámdár, and thus excluded from the Inám to the latter, the right to the trees in such service lands would undoubtedly vest in Government, while in the villages where the service grant was subsequent to the alienation of the village, such right must be considered to vest in the Inámdár.†

**468.** The orders passed in Government Resolution No. 9578, dated 19th December 1889, have been modified to the following extent. Rights of Watandárs to cut trees.

Collector first obtained, which the Collector may refuse if he sees good grounds for doing so. An executive order should be issued to Collectors that where the custom is for the land to pass from an occupant to his natural heirs independently of the Watandár who actually performs the service, the permission should be given, but that where the land passes with the office and the holder enjoys only a temporary usufruct, permission should only be given for good reasons such as that the trees are ready to fell, damage the crops or the like.

The rules should be that :—

Rules regulating the cutting of trees by Watandárs. (a) Occupants of service holdings may, with the previous permission of the Collector, cut away trees standing in their holdings.

(b) The Collector shall not, except for express reasons, to be recorded in writing, refuse permission unless the trees be reserved at the survey, or form portion of sacred groves or are road-side or other trees useful to the community, and whose destruction would be a public loss.

(c) In the case of an application to cut isolated teak or other reserved trees, the Collector may grant them on payment of their estimated value. Where a permission to cut several of such trees is applied for, the application should be disposed of by the Conservator.

(d) Where trees are reserved in the case of ordinary occupants they should be reserved also in those service lands to which a settlement converting them into private property has not been applied. The occupants of service lands concerned should be warned that the concession now allowed is granted as an act of grace and not as an admission of any right, and that it is revocable at the pleasure of Government.‡

\* L. R. No. 31, dated 6th January 1885, *vide* Government Resolution No. 539, dated 19th January 1885.

† Government Resolution No. 5987, dated 6th September 1888.

‡ Government Resolution No. 6376, dated 9th September 1890.

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### VIII. Regulations for Forest Department Rest-houses.

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#### VIII. REGULATIONS FOR FOREST DEPARTMENT REST-HOUSES.

**469.** 1. The rest-house is for the accommodation of District Officers of the Forest Department and they are given preference to other District Officers and travellers. But it is open to occupation free of charge by all Government Gazetted Officers when travelling on duty and, with the previous permission of the Divisional Forest Officer, by other officers when travelling on duty. It is also open to occupation by travellers with the previous permission of the Divisional Forest Officer and on payment of fees at the rates specified in Rule 11.\*

2. No one may occupy the rest-house for more than ten consecutive days without the previous permission of the Divisional Forest Officer.

NOTE.—This period should be counted by the number of nights passed in the bungalow.

3. No person may occupy more than one room when accommodation is required by other officer or travellers.

4. All persons occupying the rest-house are requested to enter their names designation, if any, residence and dates of arrival and departure and amount paid in fees in the Register which will be kept in the rest-house.

5. All persons occupying the rest-house are prohibited from sheltering their horses or cattle or vehicles (except bicycles) within the verandahs of the rest-house.

6. All persons occupying the rest-house will be held responsible for damage done by themselves or their servants to the rest-house or its furniture.

7. There is a person in charge of the rest-house, but persons occupying the house should make their own arrangements for supplies and carts.

8. The Divisional Forest Officer should be referred to in all cases of dispute. Any person who may have any complaint to make should address that Officer by letter or enter their complaint in the remarks column of the Register.

9. No sweeper is attached to the rest-house, and persons occupying the rest-house must make their own arrangements for service during their stay in the bungalow.

10. The peon in charge is absolutely prohibited from living or sleeping in any room of the rest-house. Officers and travellers are requested to bring any instance of this rule having been infringed to the notice of the Divisional Forest Officer.

11. The fees when payable under Rule 1 are as follows :—

'Eight annas per night for each person occupying a spare room; two or more persons occupying the same room will pay only the single fee of eight annas. Persons passing the night at the rest-house must pay the full fee; those occupying it only between sunrise and sunset pay only half the fee.'†

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\* Government Resolution No. 6511, dated 2nd July 1907.

† Government Resolution No. 8375, dated 27th November 1903.

### VIII. Regulations for Forest Department Rest-houses.

**469a.** Rent-free quarters should be built for F~ guards in localities where no suitable accommodation be had in villages.

No special accommodation will be provided for guards attached to offices in towns where there are facilities for obtaining private accommodation for guards posted in dry healthy localities where the men can make suitable arrangements in villages within their beats.

The average estimates for guards' quarters for the different Circles are :—

|                              |     |     |     |           |
|------------------------------|-----|-----|-----|-----------|
| Northern Circle              | ... | ... | ... | Rs. 700.  |
| Central and Southern Circles | ... | ... | ... | Rs. 550.* |

### IX. TOLLS.

**470.** Forest Subordinates exempted from paying toll. Forest Subordinates actually engaged on their duties are exempt from payment of Ferry and Road tolls.†

**471.** In exercise of the powers conferred on him by section 1 of Bombay Act II of 1878 (amending Bombay Ferries Act, 1868), the Governor in Council is pleased to declare that the persons, vehicles, animals, etc., mentioned in the following list are exempted from payment of Ferry tolls in addition to the persons exempted by section 3 of Bombay Act II of 1868 :—

|                                 |   |   |   |   |
|---------------------------------|---|---|---|---|
| 1. All officers and soldiers of | * | * | * | * |
| 2.                              | * | * | * | * |
|                                 | * | * | * | * |

Carts working for Public Works Department. 8. Carts actually employed in the conveyance of material for the construction or repair of Public Works, constructed or maintained by Imperial, Provincial or Local Funds.

In other cases when a ferry is crossed by carts, etc., hired for, or in use on the Public Service the toll is to be paid and the sum recovered by a contingent bill. For instance, a Collector will pay toll for the whole of the carts containing his own baggage and the Government records and tents recovering the toll on account of the latter by a contingent bill.

Carts belonging to Officers carrying their private kit and carts carrying Government records not exempted. 9. Peons of all Departments wearing their belts.

Peons exempted.

10. Mail carts \*

\* Government Resolutions No. 9522, dated 1st October 1907; and No. 9507, dated 1st October 1909.

† Government Resolutions No. 570, dated 29th January 1877; No. 1477, dated 7th March 1877; and No. 3777, dated 26th May 1886.

No. 61.

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*Add* the following at the end of the section :—

|                |                    |     | Rs.     |
|----------------|--------------------|-----|---------|
| Sind Circle :— | Single house       | ... | ... 182 |
|                | Double house       | ... | ... 295 |
|                | Three-roomed house | ... | ... 450 |
|                | Four-roomed house  | ... | ... 590 |

### IX. Tolls.

Mail carts, etc., exempted.      11. All Military and Public stores and \*    \*    \*

12. All Village and District Officers and all officers belonging to any Departments under Government when actually travelling on duty, and who have been exempted under section 5 of the Tolls Act, 1875, and all Public Works and Local Fund Mistries, Mustering Kárkuns, Postal-runners, Mukádams and Peons, when provided with a pass showing that they are *bond fide* employed in these Departments.

13.                  \*                  \*                  \*                  \*

Provided also that the exemption from payment of Ferry tolls in case of Government Officers is limited to the officials abovementioned and their actual conveyance, and does not extend to their camp equipage and personal baggage. The exemption is only to extend to the one horse on which the Officer may happen to be riding.\*

**NOTE.**—In the above section, only such rules as apply to Forest Officers have been entered; those portions of the Government Resolution applying to other Departments have been omitted.

**472.** The following memorandum from the Remembrancer of Legal Affairs, Explanation of above No. 658, dated 8th June 1882, on the above subject has rules.                  the sanction of Government :—

"The provision of the notification referred to above, which directs that the exemption from payment of ferry tolls which is limited to Government Officers and their actual conveyance 'is only to extend to the one horse on which the Officer may happen to be riding,' is not applicable to an officer whose 'actual conveyance' when he has to cross a ferry happens to be, say, a tonga and a pair of ponies or a camel."

"2. The object of the provision is to prevent any misapplication of the term 'actual conveyance.' For instance, an officer may require six riding horses to accomplish a journey. In crossing a ferry the horse he happens to be riding is exempt, but not the other five horses. So, too, if an officer is making a journey by stages, using various modes of conveyance, the particular one which he is actually using when he has to cross a ferry alone is exempt from paying of toll whether it happens to be a carriage and pair, or a riding horse or a camel, or an elephant or any other kind of conveyance."

"3. The above provision has been taken from a Government order of long standing (Government Resolution No. 2183 of September 15th, 1869) and, in my opinion, requires no modification at all." †

### X. MISCELLANEOUS.

**473.** The Forest Department equally with other Departments of the State Regarding employment should, when possible, give carrying work to the Supply and of the Supply and Transport Corps. Transport Corps.‡

\* Government Notification No. 1582, dated 2nd May 1882.

† Government Resolution No. 2294, dated 20th June 1882.

‡ Government Resolution No. 7029, dated 16th December 1902.

### X. Miscellaneous.

**474.** The proposal to levy, in addition to the tree-tax leviable under the A'bkári Act, a fee of one anna per tree for permission to One anna tax on toddy tap toddy trees growing in Reserved or Protected Forests, or in the beds of tanks or on the banks of canals and waste lands in charge of the Irrigation Department is sanctioned. The fees should be collected by the A'bkári Department and credited to the accounts of the Department in whose charge are the trees in respect of which the fees are paid.\*

**475.** The following kinds of office tents are sanctioned for Forest Officers Office tents. in the Presidency proper and Sind :—

*In the Presidency proper.*

| (1) For Conservators—                            | (Elgin Mills.)  |
|--|-----------------|
|  | Rs.             |
| 1 Hill tent, 14' x 14', with both syawns (price) | ... ... ... 426 |
| 2 Raotis for Peons, 12' x 12', each              | ... ... ... 60  |

(2) For Divisional Forest Officers (except Ratnágiri) and officers in charge of Working Plans Branches—

|                                 |                 |
|---------------------------------|-----------------|
| 1 Hill tent, 13' x 13'          | ... ... ... 400 |
| 2 Peons raotis, 12' x 12', each | ... ... ... 60  |

Officers in charge of Working Plans parties are allowed 2 raotis 12' x 12' for Surveyors in addition to the above.

(3) For Sub-Divisional Officers—

|  |                 |
|--|-----------------|
| 1 Field Officers' Kabul Pál, 9' x 8', with outer fly extended to the grounds and with bathroom | ... ... ... 141 |
| 1 Raoti for Peons, 10' x 10'   | ... ... ... 55  |

Cost of carriage from Cawnpore is not included in the above figures.

The lifetime of a tent should be taken to be 10 years.

The purchase of a new set of tents will not be allowed until a certificate is furnished that the old set is unserviceable.

The purchasing officer will be held responsible for buying any cheap and flimsy tent.†

**476.** Grants of advances for the purchase of tents are admissible subject to Advances for purchase of tents. the condition that no fresh advances should be drawn by an officer so long as any arrears of a previous advance are outstanding :—

|  | Imperial.   | Provincial. |
|--|-------------|-------------|
|  | Rs.         | Rs.         |
| For Forest Officers under 8 years' service | ... ... 400 | 200         |
| From 8 to 16 years' service                | ... ... 600 | 300         |
| After 16 "                                 | ... ... 800 | 400         |

Recoveries should be made in equal instalments spread over 3 years.‡

\* Government Resolution No. 3479, dated 30th April 1884.

† Government Resolution No. 14, dated 3rd January 1907.

‡ Government Resolution No. 3636, dated 9th September 1907.

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*Add the following clause :—*

Rent for toddy trees growing in Forest lands should be recovered by the Forest Department at the rate of 8 annas per tree when they are given for tapping. But permission to tap the trees can be given only by the Excise and not by the Forest Department. §

The Forest Guards should mark and number the toddy trees in forest lands and receive remuneration at 6 pies per tree tapped. ||

*Add to foot-note the following :—*

§ Government Resolution, R. D., No. 5544, dated 8th June 1911.

|| Government Resolution, R. D., No. 319, dated 12th January 1914.

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X. Miscellaneous.

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**477.** The following kinds of medicine chest should be supplied to Forest Supply of Medicine chest. Officers :—

*Medicine chest (Rs. 20).*

- (i) Conservators of Forests.
- (ii) Divisional Forest Officers.

*Medicine tin boxes (Rs. 6-8-0).*

- (i) Sub-Divisional Forest Officers.\*

**477a.** Conservators and Deputy Conservators in charge of Circles should indent for the supply of quinine required for their Circles Supply of Quinine. on the Superintendent, Yerávda Central Prison.†

**478.** Conservators of Forests are empowered to grant advances not exceeding Advances for purchase of two months' pay to non-gazetted officers for the purchase of conveyance.

The advance shall be repaid in 12 equal monthly instalments and the advance shall not exceed the value of the conveyance purchased.

The conveyances shall be considered the property of Government till the advance is fully repaid.‡

Not to employ Government servants in making private purchases.

**479.** Officers are not to employ public servants in making purchases or in private matters involving receipt or expenditure of money.§

**480.** Subscription to the General Provident Fund is compulsory in the case of all Europeans and Eurasians on attaining a substantive pay of Rs. 100 a month or more.

All Europeans and Eurasians drawing less than Rs. 100 a month and all natives of India in permanent pensionable Civil employ will be permitted to join the new Fund as optional members.

The monthly rate of subscription must be not less than  $6\frac{1}{4}$  per cent. and not more than  $12\frac{1}{2}$  per cent. on the salary of each subscriber for the month; and, as between these two limits, must be at the rate of either  $1\frac{1}{4}$ ,  $1\frac{1}{2}$  or  $1\frac{3}{4}$  annas in the rupee. If the Officer is on foreign service the subscription will be calculated on his assumed pay.

A subscriber may alter his rate of subscription, with effect from the beginning of any financial year, by giving notice before the end of the preceding year.||

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\* Government Resolutions No. 565, dated 3rd February 1903; and No. 2623, dated 24th May 1904.

† Government Resolution No. 7626, dated 10th August 1906.

‡ Government Resolution, Financial Department, No. 510, dated 5th February 1905.

§ General Department Circular No. 1309, dated 7th March 1905.

|| Government Resolution No. 2464, dated 22nd June 1909.